

**REMARKS**

Applicants acknowledge with appreciation the interview conducted with Examiner Cole on July 25, 2006. During the interview, the rejections of all claims were discussed and no agreement was reached as to allowability. A discussion of the use of the word “integral” in the claims was had and Examiner Cole agreed that the word integral was appropriate thus overcoming the “112” rejection. There was also discussion of whether or not the use of the term molded was structural or process related. This latter issue is discussed below.

The claims have been amended to more clearly distinguish Applicants’ invention from the references of record. The claims now cite that the generally planar base portion and the projecting element portions are an integral one piece thermoplastic article of molded construction. This language and additional language in the claims (the projecting element comprising first and second polymers, Claim 1, and the first and second plurality of projecting element portions are formed of first and second polymers respectively, Claim 34), clearly distinguish the invention from the cited references.

It is submitted that the cited references do not show an integral molded structure as claimed. It is submitted that molded is a proper structural term. As an analogous example “welded” even though a process related term, is also a structural term. The phrase “article of molded construction” is a long hand version of saying molding which is listed in the dictionary, inter alia, as a noun.

During the interview, a specific discussion was had regarding the Sallee and Zuiddam, et al. references. The Examiner pointed to a section in the Sallee reference contending that it supported the possibility of an integral construction. A careful reading of this patent at column 5

starting at line 30 and in particular at line 37, indicates that if there were an integral construction, it would only be between the anchor and the base material 100. This section does not at all relate to the connection of the strip like edge portion 28 and its connected strips for the garnish 10. The connection of the strip 28 and the grass like strips of the garnish 10 is disclosed as being purely mechanical, as by adhesion. See for example, column 4 starting at line 37. Thus, Saltee will not support an anticipation rejection.

The Examiner pointed to column 4 starting at line 38 of Zuiddam et. al., as supporting an “integral” construction. A careful reading of this section shows that the connection that might be an integral connection is only between the profiles 12 and the support strips 22. There is no discussion that can be found in this patent relating to an integral connection between the filaments 20 and any other portion of the floor mat that is disclosed. The only disclosure of the connection of the filaments is by a mechanical connection between the filaments 20 and the profiles 12. The other references that have been cited, are discussed in the immediately prior Amendment C. Those arguments are reiterated herein by reference.

Certain of the claims have been rejected as being anticipated by Matsui, et. al. It is pointed out, specifically at column 6 starting at line 9 that the manufactured fibers are used to produce a pile by weaving, knitting or the like. This is not the defined integral structure. Thus, Matsui, et. al. will not support an anticipation rejection.

Fukuda, et. al. is also used in support of an anticipation rejection of certain of the claims which includes only claim 1 as an independent claim. Fukuda, et. al. is likewise directed to the production of a fabric that is napped. It like Matsui, et. al. does not disclose an integral structure but rather, a fabric, see for example column 9 starting at line 51. Fabrics are typically woven or

knit and are not integral as defined in the independent claim 1 and the claims depending therefrom. Example 1 and Comparative Example 1 describe a knitted final product. Whether it is knitted or woven, it is still not an integral structure as now defined. Thus, Fukuda, et. al. will not support an anticipation rejection.

Independent claim 34 and some of the claims dependent therefrom also stand rejected as being anticipated but under Valyi, et. al. Valyi, et. al. do not disclose the first and second groups of projecting element portions and thus will not support an anticipation rejection. Valyi, et. al. disclose in essence a laminated structure having a plurality of layers in the form of a film. See for example column 2 starting at line 48.

Claims 2 and 4 stand rejected as being obvious over Saltee. Because claim 1 is allowable, its dependent claims are also allowable which includes claims 2 and 4.

Claims 13 and 45 stand rejected as being obvious over Saltee in view of Rawlinson. Because independent Claims 1 and 34 are allowable as discussed above, their dependent claims 13 and 45 are also allowable.

Claims 14 and 46 stand rejected as being obvious over Saltee in view Sesselmann. Because claims 14 and 46 depend from allowable claims, they are also allowable.

Claims 35-37 and 43 stand rejected as being obvious over Valyi, et. al. because these claims depend from allowable claims, they too are allowable.

Claims 38, 40 and 45 stand rejected as being obvious over Valyi, et. al. in view of Allan, et. al. Because claims 38, 40 and 45 depend from an allowable claim, they too are allowable.

In conclusion, there is no references cited that can support an anticipation rejection or an obviousness rejection. The same arguments made in Amendment C are equally applicable here.

Application of: Roy Lee Hood  
Serial No.: 10/814,679  
Amendment D

It is submitted that the claims are in a condition for allowance and formal allowance of the claims is respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: \_\_\_\_\_

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